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Attorneys for Defendants  
VXN GROUP LLC; STRIKE 3 HOLDINGS, LLC;  
GENERAL MEDIA SYSTEMS, LLC; and  
MIKE MILLER

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CENTRAL DIVISION**

MACKENZIE ANNE THOMA, a.k.a.  
KENZIE ANNE, an individual and on  
behalf of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware limited  
liability company; STRIKE 3  
HOLDINGS, LLC, a Delaware limited  
liability company; GENERAL MEDIA  
SYSTEMS, LLC, a Delaware limited  
liability company; MIKE MILLER, an  
individual; and DOES 1 to 100, inclusive,

Defendants.

Case No. 2:23-CV-04901-WLH-  
AGR

**DECLARATION OF BRAD S.  
KANE IN SUPPORT OF  
DEFENDANT'S MOTION FOR  
EXTENSION OF TIME TO  
RESPOND TO PLAINTIFF'S  
FIRST AMENDED COMPLAINT**

**DECLARATION OF BRAD S. KANE**

I, Brad S. Kane, declare and state as follows:

1. I am over the age of eighteen years and am fully competent to make this declaration. The facts contained herein are based on my personal knowledge and are true and correct.

2. I am an attorney licensed to practice law in the State of California since 1990, the State of Alaska since 1991 and Washington State since 2003. I am the owner of the Kane Law Firm (“KLF”), and counsel for Defendants VXN Group LLC (“VXN”), Strike 3 Holdings, LLC (“Strike 3”), General Media Systems, LLC (“GMS”), and Mike Miller (“Miller”) (collectively, “Defendants”). I am personally familiar with, and, if called upon, could and would testify to the facts contained herein from my personal knowledge.

3. This is the first extension of time that Defendants have requested in this case and this motion is made in good faith and not for the purpose of undue delay.

4. I, along with my associate, Eric Clopper, are in a five-day arbitration in San Francisco, CA which began on Monday October 2, 2023 and which overlaps with Defendants’ deadline. The arbitration requires both of us to be out of town for the entire week and also required substantial preparation.

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1           5.       This brief extension will enable us to adequately prepare a response to  
2 Plaintiff's First Amended Complaint and properly confer with Plaintiff regarding  
3 any anticipated motions. In doing so, we will attempt to narrow any issues, clarify  
4 the pleadings, and potentially avoid any unnecessary litigation.  
5

6           6.       On Monday, October 2, 2023, my associate Eric Clopper emailed  
7 Plaintiff's counsel, Sarah Cohen, to confer as to whether she consented to the two-  
8 week extension. Plaintiff's counsel stated that she did not consent to such an  
9 extension. I have not identified any prejudice to Plaintiff if this extension is  
10 granted.  
11

12  
13           I declare under penalty of perjury under the laws of the United States that  
14 the foregoing is true and correct.  
15

16           Executed on October 3, 2023 at San Francisco, California.  
17

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19                               /s/ Brad S. Kane

20                               Brad S. Kane  
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